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MEMORANDUM

TO: Boston Redevelopment Authority
FROM: Hale Champion, Director
DATE: January 9, 1969
SUBJECT: ZONING REFERRALS

I. ZONING COMMISSION - MAP AMENDMENT APPLICATION

Re: Map Amendment Application No. 69
Enazio & Giuditta Mazzella
117 Mt. Hope Street, Mattapan

12/3/19
Petitioner seeks to change an area of land (approximately 10,000 square feet) from an R-.5 (Residential, Floor Area Ratio of .5) zone to an L-.5 (Local Business, Floor Area Ratio of .5) zone in the Mattapan district of Boston. The parcel is located at the intersection of Mt. Hope Street and American Legion Highway near the Roslindale General Hospital. Commercialization of this parcel would be inappropriate and an encroachment on the one and two family residences in the immediate neighborhood. The proposal would intensify existing traffic conditions and create an additional hazard on this congested highway. Recommend denial.

VOTED: That in connection with Map Amendment Application No. 69, brought by Enazio and Giuditta Mazzella, 117 Mt. Hope Street, Mattapan, to change an area of land (approximately 10,000 square feet) from a Residential (R-.5) district to a Local Business (L-.5) district, the Boston Redevelopment Authority recommends denial. Commercialization of this parcel would be inappropriate and an encroachment on the one and two family residences in the immediate neighborhood. The proposal would intensify existing traffic conditions and create an additional hazard on this congested highway.

II. BOARD OF APPEAL REFERRALS.

Re: Petition No. Z-1342
 Ambassador Realty
 110 Livermore Street, Mattapan

Petitioner seeks a non-conforming use permit and seven variances to erect a three story and basement-48 unit-apartment structure in a Single Family (S-.5) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7	A multi-family dwelling is a Forbidden use in an S-.5 district.		
Sect. 10-1	Parking is not allowed in front yard.		
Sect. 14-2	Lot area for additional dwelling unit is insufficient	4000 sq.ft./du	686 sq.ft./du
Sect. 15-1	Floor area ratio is excessive	0.5	1.04
Sect. 16-1	Height of building is excessive	2½ stories	3 stories
Sect. 18-1	Front yard is insufficient (Livermore Street)	30 ft.	23 ft.
Sect. 18-4	Front yard is insufficient (Croyden Street)	30 ft.	4 ft.
Sect. 20-1	Rear yard is insufficient	50 ft.	27 ft.

The property, located on Livermore Street near the intersection of Livermore Street and Cummins Highway adjacent to Calvary and Mount Hope Cemeteries, contains 38,243 square feet of vacant land. The excessive floor area ratio and the lack of sufficient lot area represent severe overcrowding of the land. The proposed apartment development would be inappropriate in this single family area. Recommend denial.

VOTED: That in connection with Petition No. Z-1342, brought by Ambassador Realty, 110 Livermore Street, Mattapan, for a non-conforming use permit and variances of parking not allowed in front yard, insufficient lot area for additional dwelling unit, front yard, rear yard, excessive floor area ratio and building height to erect a three story and basement-48 unit-apartment structure in a Single Family (S-.5) district, the Boston Redevelopment Authority recommends denial. The excessive floor area ratio and the lack of sufficient lot area represent severe overcrowding of the land. The proposed apartment development would be inappropriate in this single family area.

7324

Z-1342
110 LIVERMORE ST.

907,953

6102



Re: Petition No. Z-1343
Joseph F. Kelly
7 Copeland Street, Roxbury

Petitioner seeks a variance to change occupancy from eight apartments to nine apartments in a Local Business (L-1) district. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Proposed</u>
Sect. 17-1 Usable open space is insufficient	400 sq.ft./du	135 sq.ft./du

The property, located on Copeland Street near the intersection of Warren and Copeland Streets, contains a four story and basement brick dwelling. The petitioner would completely rehabilitate the structure. The proposed increase in density is minimal and would be consistent with the general residential-apartment character of the area. Recommend approval.

VOTED: That in connection with Petition No. Z-1343, brought by Joseph F. Kelly, 7 Copeland Street, Roxbury, for a variance of insufficient open space to change occupancy from eight apartments to nine apartments in a Local Business (L-1) district, the Boston Redevelopment Authority recommends approval. The proposed increase in density is minimal and would be consistent with the general residential-apartment character of the area.



Re: Petition No. Z-1348
Rose M. & Claire M. Medaglio
891 East First Street, South Boston

Petitioner seeks a Non-conforming Use Permit to erect a one family dwelling in a Light Manufacturing (M-2) district. The proposal would violate the code as follows:

Sect. 8-7 A one family dwelling is a Forbidden Use in an M-2 district.

The property is located on East First Street between O and P Streets. Although industrial uses exist in the area this particular block is primarily residential. The petitioner proposes to demolish the existing fire damaged dwelling and erect a one story single family residence. The proposal would be beneficial to the residential neighborhood and would enhance the appearance of this property. Recommend approval.

VOTED: That in connection with Petition No. Z-1348, brought by Rose M. & Claire M. Medaglio, 891 East First Street, South Boston, for a non-conforming use permit to erect a one family dwelling in a Light Manufacturing (M-2) district, the Boston Redevelopment Authority recommends approval. The petitioner proposes to demolish an existing fire damaged dwelling in order to erect a single family residence. Although industrial uses exist in the area this particular block is primarily residential. The proposal would be beneficial to the residential neighborhood and enhance the appearance of this property.

EAST FIRST

STREET

—STRE

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51	1350		1000
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{45	2494		13,406
50			
52	1795		

GRACE CT.
THIRD

BROADWAY

893-891 EAST FIRST STREET

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911	3438	1441
909	3438	1441
907	3438	
905	3438	
903	9326	
901		
899	3750	3750
897		3750
(895)1/2	3321	
895		
893	3321	
891		
885	3306	
883	3444	
881		
879	2700	
877		
875	2700	
873		
871	2700	
2025		
625		
82		
8		

	81,000
	326
2	
902	26,400

26,400

STREET

26 1813	1750	6250	326	3812	3812
26	1687			3812	3812
32	1392				
34	7				
36	1445				
38	2287	4125			
38	12				
38	12				
3444		3528			
816		820			
		824			

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STREET

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Re: Petition No. Z-1356
Estate of Francis T. Wallin
19 Walnut Street, West Roxbury

Petitioner seeks a change in an existing non-conforming use to change occupancy from manufacturing, assembling, storage and office for the distribution of iron lungs to wholesale business, warehouse, assembling, interior storage, and office for the distribution of music, phonograph records and tapes, phonographs, radios, televisions, recording devices and equipment and accessories pertaining thereto and for acting as promoter, factor or agent and dealing in patents, trademarks and licenses pertaining thereto, in a Single Family (S-.5) district. The proposal would violate the code as follows:

Sect. 9-2 A change in an existing non-conforming use requires a Board of Appeal hearing.

The property, located on Walnut Street near the intersection of Walnut and Spring Streets, contains a one story brick structure. The continuance of a non-conforming use would be incongruous in this predominately single family neighborhood. Walnut Street is a narrow public way and could not support the vehicular traffic which would be generated by the proposed use. Adjacent properties would be adversely effected by the use and its attendant activities. Recommend denial.

VOTED: That in connection with Petition No. Z-1356, brought by the Estate of Francis T. Wallin, 19 Walnut Street, West Roxbury, for a change in an existing non-conforming use to change occupancy from manufacturing, assembling, storage and office for the distribution of iron lungs to wholesale business, warehouse, assembling, interior storage, and office for the distribution of music, phonograph records and tapes, phonographs, radios, televisions, recording devices and equipment and accessories pertaining thereto and for acting as promotor, factor or agent, and dealing in patents, trademarks and licenses pertaining thereto, in a Single Family (S-.5) district, the Boston Re-development Authority recommends denial. The continuance of a non-conforming use would be incongruous in this predominately single family neighborhood. Walnut Street is a narrow public way and could not support the vehicular traffic which would be generated by the proposed use. Adjacent properties would be adversely effected by the use and its attendant activities.



/Z-1357
253-259 BUNKER HILL ST.

8.3-5 Cook St.

Re: Petition No. Z-1357
William Picardi
253-259 Bunker Hill Street &
3-5 Cook Street, Charlestown

Petitioner seeks two non-conforming use permits and two variances to change occupancy from three families and two stores to five families, a carpenter shop, and display rooms in a Local Business (L-1) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7	Any dwelling converted for more families and not meeting at least $\frac{1}{2}$ the lot area and open space requirements is a Forbidden Use in an L-1 district.		
Sect. 8-7	Sales and display space of a jobber is Forbidden in an L-1 district.		
Sect. 14-2	Lot area for additional dwelling unit is insufficient	1000 sq.ft./du	0
Sect. 17-1	Usable open space is insufficient	400 sq.ft./du	0

The property, located on Bunker Hill Street at the intersection of Bunker Hill and Cook Streets in the Charlestown Urban Renewal Area, contains a three story frame structure. The petitioner proposes to convert an existing 10 room apartment on the 2nd and 3rd floor into 2 apartments of six and four rooms respectively and to occupy the presently vacant 1st floor as a carpenter's shop. The staff has no objection to the proposed carpenter shop which would be consistent with the semi-commercial activities in the area. The petitioner has since informed the staff that he will retain the existing apartment and will so inform the Board of Appeal. Recommend denial of apartment conversion and approval of carpenter shop.

VOTED: That in connection with Petition No. Z-1357, brought by William Picardi, 253-259 Bunker Hill Street and 3-5 Cook Street, Charlestown, for two non-conforming use permits and variances of insufficient lot area for additional dwelling unit and usable open space to change occupancy from three families and two stores to five families, carpenter shop and show rooms in a Local Business (L-1) district, the Boston Redevelopment Authority recommends denial of the proposed apartment conversion. The Authority has no objection to the proposed carpenter shop which would be consistent with the semi-commercial activities in the area.

Re: Petition No. Z-1358
 Harold Brown
 37 Linden Street, Allston

Petitioner seeks five variances to erect a three story and basement-16 unit-apartment structure in a Residential (R-.8) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 14-2	Lot area for additional dwelling unit is insufficient	1500 sq.ft./du	587 sq.ft./du
Sect. 15-1	Floor-area ratio is excessive	.8	1.1
Sect. 17-1	Usable open space is insufficient	800 sq.ft./du	306 sq.ft./du
Sect. 18-4	Front yard is insufficient (Farrington Ave.)	20 ft.	10 ft.
Sect. 20-1	Rear yard is insufficient	40 ft.	21 ft.

The property is located on Linden Street at the intersection of Linden Street and Farrington Avenue. The petitioner proposes to demolish two existing frame duplex dwellings and erect a 16 unit-apartment structure. The increased density with its lack of open space provisions would further intensify the already congested traffic condition on Linden Street and the surrounding area. Recommend denial.

VOTED: That in connection with Petition No. Z-1358, brought by Harold Brown, 37 Linden Street, Allston, for a variance of insufficient lot area for additional dwelling unit, open space, front yard, rear yard and excessive floor area ratio to erect a three story and basement-16 unit-apartment building in a Residential (R-.8) district, the Boston Redevelopment Authority recommends denial. It would substantially violate the open space requirement and would intensify the already congested traffic conditions in the neighborhood.



Re: Petition No. Z-1359
Henry Smaldone
21 Bailey Street, Dorchester

Petitioner seeks three variances to erect a three story and basement-10 unit-apartment structure in a Residential (R-.8) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 14-2	Lot area for additional dwelling unit is insufficient	1500 sq.ft./du	561 sq.ft./du
Sect. 15-1	Floor area ratio is excessive	.8	1.07
Sect. 17-1	Usable open space is insufficient	800 sq.ft./du	274 sq.ft./du

The property is located on Bailey Street near the intersection of Bailey and Atherstone Streets. The petitioner proposes to demolish an existing two story frame dwelling. The proposed apartment use and density would be incongruous with the one and two family residences in the neighborhood. A similar petition for 12 apartments at this location was recently denied by the Board of Appeal.

VOTED: That in connection with Petition No. Z-1359, brought by Henry Smaldone, 21 Bailey Street, Dorchester, for variances of insufficient lot area for additional dwelling unit, usable open space and excessive floor area ratio to erect a three story and basement-10 unit-apartment building in a Residential (R-.8) district, the Boston Redevelopment Authority recommends denial. The proposed apartment use and density would be incongruous with the one and two family residences in the neighborhood.

STEP

BAILEY

10,950 15

3675

HERITAGE

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FULLER

6250 6250

7813 7587

W.

548

1152

Z-1359
21 BAILEY STREET

PORTLAND

10

83 MJE

An aerial map of a residential area. A specific house is highlighted with a dark gray box and labeled "5228". The map shows several other houses and streets.

5204

5205

5830

6000

5000

300

5000

17

AVENUE

Re: Petition No. Z-1360
James G. Grant
15 Wolcott Court, Readville

Petitioner seeks two variances to erect a one story 10 car garage in a Light Manufacturing (M-1) district. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Proposed</u>
Sect. 18-1 Front yard is insufficient	20 ft.	5 ft.
Sect. 20-1 Rear yard is insufficient	20 ft.	5 ft.

The property, located on Wolcott Court near the intersection of Wolcott Court and Hyde Park Avenue, contains 20,475 square feet of vacant land. The structure would be erected on an existing foundation and utilized for the storage of diesel trucks. The front yard would conform with the existing building alignment along Wolcott Court. The rear yard abuts a railroad embankment. The garage facility would be an improvement in the area. Recommend approval.

VOTED: That in connection with Petition No. Z-1360, brought by James G. Grant, 15 Wolcott Court, Readville, for variances of insufficient front and rear yards to erect a one story 10 car garage in a Light Manufacturing (M-1) district, the Boston Redevelopment Authority recommends approval. The yard violations would not adversely effect abutting properties and the proposed garage facility would be an improvement to the area.

Re: Petition No. Z-1361
Dr. Stephen V. McLaughlin, et ux
59 Beech Street, West Roxbury

Petitioner seeks a non-conforming use permit to change occupancy from a two family dwelling to a one family dwelling and dental office in a Single Family (S-.5) district. The proposal would violate the code as follows:

Sect. 8-7 A dental office is Forbidden in an S-.5 district.

The property, located on Beech Street at the intersection of Beech and Kenneth Streets, contains a two story frame dwelling. The petitioner would utilize the first floor for a dental office and the second floor for his residence. The proposal is appropriate and would provide a vital service to residents of the neighborhood. Recommend approval.

VOTED: That in connection with Petition No. Z-1361, brought by Dr. Stephen V. McLaughlin, et ux, 59 Beech Street, West Roxbury, for a non-conforming use permit to change occupancy from a two family dwelling to a one family dwelling and dental office in a Single Family (S-.5) district, the Boston Redevelopment Authority recommends approval. The proposal is appropriate and would provide a vital service to residents in the neighborhood.

Re: Petition Nos. Z-1344-Z-1347
 R. E. Cunniff Inc.
 100-102-104-106 Turtle Pond Parkway
 Hyde Park

Petitioner seeks four forbidden use permits and multiple variances to erect four two-story and basement - 30 unit - apartment structures in a Single Family (S-.5) district. The proposal would violate the code as follows:

		<u>Req'd</u>	<u>Proposed</u>
<u>100 Turtle Pond Parkway - 30 units</u>			
Section 8-7.	A 30 unit apartment structure is forbidden in an S-.5 district.		
Section 14-2.	Lot area for additional dwelling unit is insufficient.	4000 sf/du	1555 sf/du
Section 14-5.	Unobstructed access to rear building is insufficient.	50 feet	20 feet
Section 14-5.	Distance between buildings is insufficient.	100 feet	25 feet
Section 15-1.	Floor area ratio is excessive.	0.5	0.55
Section 18-1.	Front yard is insufficient.	30 feet	15 feet
Section 19-1.	Side yard is insufficient.	12 feet	0

102 Turtle Pond Parkway - 30 units

Section 8-7.	A 30 unit apartment structure is forbidden in an S-.5 district.		
Section 14-2.	Lot area for additional dwelling unit is insufficient.	4000 sf/du	1555 sf/du
Section 14-5.	Unobstructed access to rear building is insufficient.	50 feet	20 feet
Section 14-5.	Distance between buildings is insufficient.	100 feet	28 feet
Section 15-1.	Floor area is excessive.	0.5	0.55

Petitions Nos. Z-1344-Z-1347 (Cont'd.)

			<u>Req'd.</u>	<u>Proposed</u>
<u>104 Turtle Pond Parkway - 30 units</u>				
Sect. 8-7	A 30 unit apartment structure is Forbidden in an S-.5 district			
Sect. 14-2	Lot area for additional dwelling unit is insufficient	4000 sf/du	1555 sf/du	
Sect. 14-5	Unobstructed access to rear build- ing is insufficient	50 ft.	20 ft.	
Sect. 14-5	Distance between buildings is in- sufficient	100 ft.	28 ft.	
Sect. 15-1	Floor area ratio is insufficient	0.5	0.55	
Sect. 19-1	Side yard is insufficient	12 ft.	0	

106 Turtle Pond Parkway - 30 units

Sect. 8-7	A 30 unit apartment building is a Forbidden use in an S-.5 district			
Sect. 14-2	Lot area for additional dwelling unit is insufficient	4000 sf/du	1555 sf/du	
Sect. 14-5	Unobstructed access to rear build- ing is insufficient	50 ft.	20 ft.	
Sect. 14-5	Distance between buildings is in- sufficient	100 ft.	28 ft.	
Sect. 15-1	Floor area is excessive	0.5	0.55	
Sect. 18-1	Front yard is insufficient	30 ft.	10 ft.	

The property, located on Trutle Pond Parkway at the intersection of Turtle Pond Parkway and Upton Street opposite the Stony Brook Reservation, contains 4.2 acres of vacant land. The neighborhood is predominantly low density-single family. The lot area deficiency, excessive floor area ratio and the proximity of the four structures represent over development of the land. The proposal would be incongruous and would have an injurious effect on the surrounding residences. Recommend denial.

VOTED: That in connection with Petitions Nos. Z-1344-Z-1347, brought by R. E. Cunniff, Inc., 100-102-104-106 Turtle Pond Parkway, Hyde Park, for four forbidden use permits and variances of insufficient lot area for additional dwelling unit, unobstructed access to rear buildings, distance between buildings, front yards, side yards and excessive floor area ratio to erect four two-story and basement-30 unit-apartment buildings in a Single Family (S-.5) district, the Boston Redevelopment Authority recommends denial. The violations represent over development of land in this low density-single family neighborhood. The proposal would be incongruous and would have an injurious effect on the surrounding residences.

